

UNAPPROVED

BOARD OF DENTISTRY

MINUTES

CREDENTIALS COMMITTEE

TIME AND PLACE: The Credentials Committee convened on August 30, 2013 at 10:40 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, Virginia 23233.

PRESIDING: Charles E. Gaskins, III, D.D.S.

MEMBERS PRESENT: A. Rizkalla, D.D.S.
Melanie C. Swain, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

QUORUM: All three members of the Committee were present.

**Jennifer Cook, R.D.H.,
Applicant
Case No.: 151839** Ms. Cook appeared without counsel to discuss her Application for Licensure to practice dental hygiene in the Commonwealth of Virginia, and the allegations set forth in a Notice of the Board dated July 31, 2013. Martha Sullivan, Associate Professor and Program Administrator for the dental hygiene program at Virginia Western Community College, appeared on behalf of Ms. Cook.

Closed Meeting: Ms. Swain moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(15) of the Code of Virginia for the purpose of consideration and discussion of medical and mental health records of Jennifer Cook. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee, and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and passed. During this closed meeting, the Committee received statements and additional evidence from Ms. Cook and Ms. Sullivan and discussed the allegations with them.

Reconvene: Ms. Swain moved that the Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

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Credentials Committee
August 30, 2013**

Closed Meeting:

Ms. Swain moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Jennifer Cook. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee, and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene:

Ms. Swain moved that the Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

**DECISION:
Case No.: 151839**

The Committee unanimously approved Ms. Cook's Application for Licensure to practice dental hygiene in the Commonwealth of Virginia.

Approval of Minutes:

Upon a motion by Dr. Rizkalla, the minutes from the Credentials Committee meeting conducted on July 19, 2013 were approved.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 11:22 a.m.

Charles E. Gaskins, III, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date

UNAPPROVED
BOARD OF DENTISTRY
MINUTES
SPECIAL CONFERENCE COMMITTEE "B"

TIME AND PLACE: Special Conference Committee "B" convened on August 30, 2013 at 2:05 p.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE: 2:05 p.m.

PRESIDING: Charles E. Gaskins, III, D.D.S.

MEMBERS PRESENT: A. Rizkalla, D.D.S.

MEMBERS ABSENT: Melanie C. Swain, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

QUORUM: With two members present, a quorum was established.

Gary A. Schuyler, D.D.S.
Case No.: 145213 Dr. Schuyler appeared with counsel, Kenneth C. Hirtz, to discuss the allegations set forth in a Notice of the Board dated June 27, 2013. The Committee received statements from Dr. Schuyler and Mr. Hirtz and discussed the allegations with them.

Closed Meeting: Dr. Rizkalla moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Gary A. Schuyler, D.D.S. Additionally, Dr. Rizkalla moved that Ms. Palmatier, Ms. Lee, and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Rizkalla moved that the Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

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**DECISION:
Case No.: 145213**

Ms. Toliver reported that the Committee found that while providing treatment to Patient A on August 4, 2009, Dr. Schuyler failed to perform a post-operative check by direct observation after extracting tooth #2. A subsequent provider determined that, during his extraction of Patient A's tooth #2, a surgical bur separated and became lodged into the root structure of tooth #3, as evidenced in a radiograph taken on August 8, 2009.

The sanction reported by Ms. Toliver was that Dr. Schuyler shall pay a \$1,000 monetary penalty.

Dr. Rizkalla moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE: 3:35 p.m.

PRESIDING: Charles E. Gaskins, III, D.D.S.

MEMBERS PRESENT: A. Rizkalla, D.D.S.

MEMBERS ABSENT: Melanie C. Swain, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

QUORUM: With two members present, a quorum was established.

**Jay T. Rasmussen, D.D.S.
Case No.: 145306** Dr. Rasmussen appeared with counsel, Donna Foster, to discuss the allegations set forth in a Notice of the Board dated June 27, 2013. The Committee received statements from Dr. Rasmussen and Ms. Foster and discussed the allegations with them.

Closed Meeting: Dr. Rizkalla moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Jay T. Rasmussen, D.D.S. Additionally, Dr. Rizkalla moved that Ms. Palmatier, Ms. Lee, and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Rizkalla moved that the Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters

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as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

**DECISION:
Case No.: 145306**

Ms. Toliver reported that the Committee dismissed the allegations against Dr. Rasmussen.

The decision was unanimously accepted by the Committee.

Approval of Minutes:

Upon a motion by Dr. Rizkalla, the minutes from the Informal Conference conducted on July 19, 2013 were approved.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 4:40 p.m.

Charles E. Gaskins, III, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date